

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IONICS INCORPORATED,)
Plaintiff,)
v.) Civil Action No. 04-11943-PBS
GLOBAL ENERGY, INC.,)
Defendant.)

)

LOCAL RULE 7.1(A)(2) CERTIFICATION OF COUNSEL

I, Jason W. Morgan, hereby certify that, on October 4, 2004, I conferred with Plaintiff's counsel, Kim M. Clarke, Esq., in a good faith attempt to negotiate a reasonable extension of time to respond to Plaintiff's summary judgment motion. On October 5, 2004, Attorney Clarke informed me that her client refused to grant any extension of time.

Respectfully submitted,

/s/ Jason W. Morgan
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Dated: October 5, 2004

Counsel for Global Energy, Inc.

CERTIFICATE OF SERVICE

I, Jason W. Morgan, hereby certify that on October 5, 2004, I served a true and correct copy of the foregoing by regular mail upon counsel for Plaintiff, Kim M. Clarke, Nixon Peabody LLP, 100 Summer Street, Boston, Massachusetts 02110.

/s/ Jason W. Morgan
Jason W. Morgan